

LOGS Legal Group LLP
Attorneys at Law

14000 Commerce Parkway, Suite B
Mount Laurel, New Jersey 08054
Tel: (856) 793-3080 • Fax: (847) 627-8809

Partners

Gerald M. Shapiro (licensed in FL, IL)
David S. Kreisman (licensed in IL)

Managing Partner

Christopher A. DeNardo (licensed in NJ, PA)

May 25, 2021

HONORABLE VINCENT F. PAPALIA
United States Bankruptcy Court
Martin Luther King, Jr. Federal Building
50 Walnut Street
Newark, NJ 07102

In Re: Claudette Brooks a/k/a Claudette Thomas, Debtor
Case No: 19-14637-VFP
Chapter: 13
Secured Creditor: Wells Fargo Bank, National Association, as Trustee for Banc of America
Alternative Loan Trust 2006-8 Mortgage Pass-Through Certificates, Series 2006-8
Our file number: CXE 19-026614

Dear Judge Papalia:

With regard to the above referenced matter, enclosed please find a copy:

- Creditor's Certification of Default
- Proposed Order Granting Relief from Automatic Stay
- Certification of Service
- Certification of Post-Petition Payment History
- Exhibit - Filed Consent Order Resolving Motion to Vacate Stay

Thank you for your consideration in this matter.

Respectfully submitted,

LOGS LEGAL GROUP LLP

By: /s/Elizabeth L. Wassall
Elizabeth L. Wassall, Esquire

Enclosures

cc: Russell L. Low, Attorney for Debtor
Low & Low
505 Main Street
Suite 304
Hackensack, NJ 07601

Marie-Ann Greenberg, Trustee
30 Two Bridges Road
Suite 330
Fairfield, NJ 07004

Claudette Brooks a/k/a Claudette Thomas, Debtor
442 North Street
Teaneck, NJ 07666

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-2(c)

CXE 19-026614
LOGS Legal Group LLP
14000 Commerce Parkway, Suite B
Mount Laurel, NJ 08054
(856) 793-3080
Elizabeth L. Wassall, Esq. 023211995
ATTORNEYS FOR WELLS FARGO BANK,
NATIONAL ASSOCIATION, AS TRUSTEE FOR
BANC OF AMERICA ALTERNATIVE LOAN
TRUST 2006-8 MORTGAGE PASS-THROUGH
CERTIFICATES, SERIES 2006-8

IN RE:

CLAUDETTE BROOKS A/K/A CLAUDETTE
THOMAS, DEBTOR

CASE NO.: 19-14637-VFP

JUDGE: HONORABLE VINCENT F.
PAPALIA

CHAPTER: 13

ORDER VACATING STAY

The relief set forth on the following pages, numbered two (2) through two (2) is hereby ORDERED.

Upon the motion of LOGS Legal Group LLP, Attorneys for Wells Fargo Bank, National Association, as Trustee for Banc of America Alternative Loan Trust 2006-8 Mortgage Pass-Through Certificates, Series 2006-8, under Bankruptcy Code section 362(d) for relief from the Automatic Stay as to certain real property as hereinafter set forth, and for cause shown,

1. It is ORDERED that the automatic stay of Bankruptcy Code section 362(a) is vacated to permit the movant to institute or resume and prosecute to conclusion one or more action(s) in the court(s) of appropriate jurisdiction to foreclose mortgage(s) held by the movant or alternatively to allow movant to pursue alternatives to foreclosure upon the following:

_____ Land and premises known as **Lot 15 Block 704**
Commonly known as 681 Linden Avenue, Teaneck, New Jersey 07666

2. It is ORDERED that the movant, its successors or assignees, may proceed with its rights and remedies under the terms of the subject mortgage and pursue its state court remedies including, but not limited to, taking the property to sheriff's sale, in addition to potentially pursuing other loss mitigation alternative, including, but not limited to, a loan modification, short sale or deed-in-lieu foreclosure. Additionally, any purchaser of the property as sheriff's sale (or purchaser's assignee) may take any legal action for enforcement of its right to possession of the property.

3. The movant may join the Debtor and any trustee appointed in this case as defendants in its foreclosure action(s) irrespective of any conversion to any other chapter of the Bankruptcy Code.

The movant shall serve this order on the Debtor, any trustee and other party who entered an appearance on the motion.

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

CXE 19-026614
LOGS Legal Group LLP
14000 Commerce Parkway, Suite B
Mount Laurel, NJ 08054
(856) 793-3080
Elizabeth L. Wassall, Esq. 023211995
ATTORNEYS FOR WELLS FARGO BANK,
NATIONAL ASSOCIATION, AS TRUSTEE FOR
BANC OF AMERICA ALTERNATIVE LOAN TRUST
2006-8 MORTGAGE PASS-THROUGH
CERTIFICATES, SERIES 2006-8

In Re:

CLAUDETTE BROOKS AKA CLAUDETTE THOMAS,
DEBTOR

Case No.: 19-14637-VFP

Judge: HONORABLE VINCENT F.
PAPALIA

Chapter: 13

CREDITOR'S CERTIFICATION OF DEFAULT

Mary Gracia certifies as follows:

1. I am a Assistant Secretary for Nationstar Mortgage LLC dba Mr. Cooper, servicing agent for Wells Fargo Bank, National Association, as Trustee for Banc of America Alternative Loan Trust 2006-8 Mortgage Pass-Through Certificates, Series 2006-8, a secured creditor of the debtor.
2. On December 10, 2019, an Order was entered, a copy of which is attached as an exhibit, providing for the cure of post-petition arrearages, and in default of such monthly payments for a 30 day period, allowing the secured creditor relief to vacate the stay, with notice to the trustee, debtor and his attorney, if any.
3. Debtor has failed to comply with the order by missing payments and/or by failing to make the correct payments as summarized on the attached Certification of Creditor Regarding Post Petition Payment History.

4. This certification is being made in an effort to enforce the prior order of this court and to vacate the stay.
5. Acceptance of partial payments will not constitute a waiver of Secured Creditor's rights to pursue the default in the event the partial payments are not enough to pay the entire default.
6. I certify under penalty of perjury that the above is true.

Date: 5-19-2021

Mary Gracia
Signature

Mary Gracia
Assistant Secretary of Nationstar Mortgage LLC
d/b/a Mr. Cooper
Affiant

EXHIBIT A

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-2(c)

CXE 19-026614
Shapiro & DeNardo, LLC
14000 Commerce Parkway, Suite B
Mount Laurel, NJ 08054
(856) 793-3080
Charles G. Wohlrab, Esq. 016592012
ATTORNEYS FOR WELLS FARGO BANK,
NATIONAL ASSOCIATION, AS TRUSTEE FOR
BANC OF AMERICA ALTERNATIVE LOAN
TRUST 2006-8 MORTGAGE PASS-THROUGH
CERTIFICATES, SERIES 2006-8

IN RE:

CLAUDETTE BROOKS A/K/A CLAUDETTE
THOMAS, DEBTOR



Order Filed on December 10, 2019
by Clerk
U.S. Bankruptcy Court
District of New Jersey

CASE NO.: 19-14637-VFP

JUDGE: HONORABLE VINCENT F.
PAPALIA

Chapter: 13

CONSENT ORDER RESOLVING MOTION TO VACATE STAY

The relief set forth on the following pages, numbered two (2) through two (2) is hereby ORDERED.

DATED: December 10, 2019

A handwritten signature in black ink, appearing to read "Vincent F. Papalia".

Honorable Vincent F. Papalia
United States Bankruptcy Judge

This matter being opened to the Court by Shapiro & DeNardo, LLC, Attorneys for Wells Fargo Bank, National Association, as Trustee for Banc of America Alternative Loan Trust 2006-8 Mortgage Pass-Through Certificates, Series 2006-8, hereinafter "Secured Creditor", upon the filing of a Notice of Motion for an Order Vacating Stay in a Chapter 13 Case for failure of the Debtor to make post-petition payments on a mortgage obligation and due notice of said Motion and the supporting Certification having been given by mail to the Trustee, the Debtor and the attorney for the Debtor, if any AND CONSENT OF THE PARTIES APPEARING HEREON and for good cause shown,

1. As of the date of filing the underlying Motion to Vacate Stay (ECF Doc.: 41), Debtor was delinquent in a post-petition payment obligation to Secured Creditor.
2. As of the date of entry of this Order, Debtor brought post-petition payments for this account with Secured Creditor current and due for this month, November 1, 2019
3. Starting November 1, 2019, Debtor agrees to maintain all contractually due payments to Secured Creditor, which currently amount to \$2,587.19.
4. Payments should be submitted to the Secured Creditor via Certified Check to the below address:

Nationstar Mortgage, LLC dba Mr. Cooper
PO Box 619094
Dallas, TX 75261-9741

5. Debtor shall reimburse Secured Creditor \$500.00 in attorney fees and \$181.00 in court costs through the remaining Chapter 13 Plan. The Trustee shall amend his/her records to reflect same.
6. If the Debtor(s) fails to make any payments detailed in this Consent Order within thirty (30) days of the date the payments are due, or if any of the funds paid fail to clear for insufficient funds or are dishonored for any reason, then the Secured Creditor may send Debtor and Debtor's Counsel a written notice of default of this Consent Order. If the default is not cured within ten (10) days of such notice, Mortgagee may obtain an Order Vacating the Automatic Stay as to the Collateral by submitting a Certification of Default to the Bankruptcy Court, specifying the Debtor(s) failure to comply with this Consent Order, with a copy of any application, supporting certification, and proposed Order to be served on the Chapter 13 Standing Trustee, Debtor(s) Counsel and Debtor(s) as required by the local bankruptcy rules.

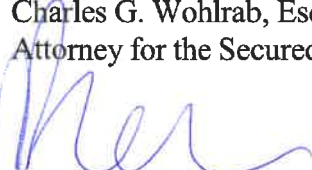
We hereby consent to the form, content,
and entry of the within Order.

Shapiro & DeNardo, LLC

/s/ Charles G. Wohlrab

Charles G. Wohlrab, Esquire
Attorney for the Secured Creditor

Date: 12/4/19


Russell L Low, Esquire
Attorney for the Debtor

Date: 12/4/19

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

CXE 19-026614
LOGS Legal Group LLP
14000 Commerce Parkway, Suite B
Mount Laurel, NJ 08054
(856) 793-3080
Elizabeth L. Wassall, Esq. 023211995
ATTORNEYS FOR WELLS FARGO BANK,
NATIONAL ASSOCIATION, AS TRUSTEE FOR
BANC OF AMERICA ALTERNATIVE LOAN TRUST
2006-8 MORTGAGE PASS-THROUGH
CERTIFICATES, SERIES 2006-8

In Re:

CLAUDETTE BROOKS AKA CLAUDETTE THOMAS,
DEBTOR

Case No.: 19-14637-VFP

Judge: HONORABLE VINCENT F.
PAPALIA

Chapter: 13

**CERTIFICATION OF CREDITOR REGARDING POST PETITION PAYMENT
HISTORY (NOTE AND MORTGAGE DATED SEPTEMBER 21, 2006)**

Mary Gracia, employed as Assistant Secretary by
Nationstar Mortgage LLC d/b/a Mr. Couper, hereby certifies the following:

Recorded on October 4, 2006, in Bergen County, in Book 16299, Page 49.

Property Address: 681 Linden Avenue, Teaneck, NJ 07666

Mortgage Holder: Wells Fargo Bank, National Association, as Trustee for Banc of America

Alternative Loan Trust 2006-8 Mortgage Pass-Through Certificates, Series 2006-8

Mortgagor(s)/Debtor(s): Claudette Brooks aka Claudette Thomas

POST-PETITION PAYMENTS (Petition filed March 7, 2019) (Agreed Order entered December 10, 2019)

Amount Due	Date Payment Was Due	How Payment Was Applied (Mo./Yr.)	Amount Received	Date Payment Received	Total Suspense Balance
\$2,587.19	11/01/19	Payment received	\$2,587.19	11/18/19	\$0.00
\$2,587.19	12/01/19	Payment received	\$2,587.19	12/24/19	\$0.00
\$2,587.19	01/01/20	Payment received	\$2,587.19	01/17/20	\$0.00
\$2,587.19	02/01/20	Payment received	\$2,587.19	02/14/20	\$0.00
\$2,587.19	03/01/20	Payment received	\$2,587.19	03/24/20	\$0.00
\$2,587.19	04/01/20	Payment received	\$2,000.00	04/23/20	\$2,000.00
			\$2,000.00	05/18/20	\$1,412.81
\$2,587.19	05/01/20	Payment received	\$2,589.08	09/01/20	\$1,414.70
\$2,587.19	06/01/20	Payment received	\$587.16	09/02/20	\$2,001.86
			\$591.00	09/23/20	\$5.67
\$2,587.19	07/01/20	Payment received	\$2,589.08	10/20/20	\$7.56
\$2,587.19	08/01/20	Payment received	\$2,589.08	11/02/20	\$9.45
\$2,587.19	09/01/20	Payment received	\$2,589.08	12/04/20	\$11.34
\$2,587.19	10/01/20	Payment received	\$2,589.08	01/20/21	\$13.23
\$2,587.19	11/01/20	Payment received	\$2,589.08	02/12/21	\$15.12
\$2,587.19	12/01/20	Payment received	\$2,589.08	03/08/21	\$17.01
\$2,587.19	01/01/21	Payment received	\$2,589.08	03/12/21	\$18.90
\$2,587.19	02/01/21	Payment received	\$2,589.08	04/13/21	\$20.79

Amount Due	Date Payment Was Due	How Payment Was Applied (Mo./Yr.)	Amount Received	Date Payment Received	Total Suspense Balance
\$2,587.19	03/01/21	Payment was not received	—	—	\$20.79
\$2,587.19	04/01/21	Payment was not received	—	—	\$20.79
TOTAL: \$46,569.42			\$41,415.83		\$20.79

Monthly payments past due: 2 mos. x \$2,587.19

(Monthly payments *minus total suspense*) = \$5,153.59 as of April 22, 2021.

Each current monthly payment is comprised of:

Principal & Interest:	\$	<u>1,619.64</u>
Escrow:	\$	<u>967.55</u>
Insurance:	\$	<u>0</u>
Late Charge:	\$	<u>0</u>
TOTAL	\$	<u>2,587.19</u>

I certify under penalty of perjury that the above is true.

Date: May 19, 2021

Mary Gracia
Signature

Mary Gracia
Assistant Secretary of Nationstar Mortgage LLC
d/b/a Mr. Cooper
Affiant

CXE 19-026614

LOGS Legal Group LLP

14000 Commerce Parkway, Suite B

Mount Laurel, NJ 08054

(856) 793-3080

ATTORNEYS FOR WELLS FARGO BANK, NATIONAL ASSOCIATION, AS TRUSTEE FOR BANC OF AMERICA ALTERNATIVE LOAN TRUST 2006-8 MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2006-8

IN RE:

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW JERSEY

CLAUDETTE BROOKS A/K/A
CLAUDETTE THOMAS, DEBTOR

CASE NO.: 19-14637-VFP

CHAPTER: 13

CERTIFICATION OF SERVICE

I, Tamia Reid, the undersigned,

1. ☐ represent the _____ in the above-captioned matter.

☒ am the secretary/paralegal for Elizabeth L. Wassall, Esquire, who represents the Secured Creditor in the above-captioned matter.

☐ am the _____ in the above case and am representing myself.

2. On 05-26-2021, I sent a copy of the following pleadings and/or documents to the parties listed in the chart below:

- Cover Letter
- Certification of Default
- Proposed Order
- Certification of Service
- Certification of Post-Petition Payment History
- Exhibit – Filed Consent Order

3. I hereby certify under penalty of perjury that the above documents were sent using the mode of service indicated.

Signature

Dated: 05-26-2021

/s/ Tamia Reid

Name and Address of Party Served	Relationship of Party to the Case	Mode of Service
Russell L. Low Low & Low 505 Main Street Suite 304 Hackensack, NJ 07601		<input type="checkbox"/> Hand-delivered <input type="checkbox"/> Regular Mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court*)
Marie-Ann Greenberg 30 Two Bridges Road Suite 330 Fairfield, NJ 07004		<input type="checkbox"/> Hand-delivered <input type="checkbox"/> Regular Mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court*)
Claudette Brooks a/k/a Claudette Thomas 442 North Street Teaneck, NJ 07666		<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular Mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court*)
		<input type="checkbox"/> Hand-delivered <input type="checkbox"/> Regular Mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court*)

* May account for service by fax or other means as authorized by the court through the issuance of an Order